



## 2019 SENATE BILL 303

June 21, 2019 - Introduced by Senators KAPENGA, JOHNSON, CRAIG, KOOYENGA, LEMAHIEU, MARKLEIN, NASS, STROEBEL and L. TAYLOR, cosponsored by Representatives HORLACHER, STUBBS, GUNDRUM, KNODL, MACCO and ROHRKASTE. Referred to Committee on Public Benefits, Licensing and State-Federal Relations.

1     **AN ACT** *to repeal* 440.962 (1) (a), 440.962 (1) (b), 440.962 (1) (c), 440.962 (1) (d)  
2             and 440.964; *to renumber* 440.96 (2); *to renumber and amend* 440.96 (1); *to*  
3             *amend* 440.965; and *to create* 440.96 (1g), 440.96 (2m), 440.96 (3), 440.962 (1)  
4             (am), 440.968 (1) (e), 440.9693 and 440.9696 of the statutes; **relating to:**  
5             registration and the scope of practice of interior designers and granting  
6             rule-making authority.

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### *Analysis by the Legislative Reference Bureau*

This bill makes the following changes to the registration and practice of interior designers:

1. Requires a person to pass an interior design examination administered by an organization approved by the Department of Safety and Professional Services in order to be granted an initial certificate of registration as an interior designer by DSPS. Under current law, a person must pass an interior design examination administered by a national organization that establishes standards for the interior design profession and that is recognized by DSPS or an examination conducted or approved by DSPS that is substantially similar.

2. Eliminates several requirements for obtaining an initial registration as an interior designer, including the requirement under current law to complete an interior design education program of a certain length of time and have certain amounts of practical experience in interior design.

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3. Makes various changes to the scope of interior design.

4. Requires DSPS to promulgate rules establishing specifications for interior design seals and stamps and requires a registered interior designer to impress the seal or stamp on certain documents prepared by the interior designer.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 440.96 (1) of the statutes is renumbered 440.96 (1r) and amended  
2 to read:

3           440.96 (1r) “Interior design” means the design of interior spaces as a part of  
4 an interior alteration or construction project in conformity with public health, safety  
5 and welfare requirements, including the preparation of documents relating to  
6 interior life safety, space planning, finish materials, furnishings, fixtures, and  
7 equipment and the preparation of documents interior technical submissions relating  
8 to interior construction that does not substantially affect the mechanical or  
9 structural systems of a building. ~~“Interior design” does not include services that~~  
10 ~~constitute the practice of architecture or the practice of professional engineering.~~

11           **SECTION 2.** 440.96 (1g) of the statutes is created to read:

12           440.96 (1g) “Interior alteration or construction project” means a project for an  
13 interior space or area within a proposed or existing building or structure, including  
14 construction, modification, renovation, rehabilitation, or historic preservation, that  
15 involves changing or altering any of the following:

16           (a) The design function or layout of rooms.

17           (b) The state of permanent fixtures or equipment.

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1 (c) The interior space or area if the change or alteration requires verification  
2 of the compliance of the interior space or area with a building code, fire code, the  
3 federal Americans with Disabilities Act, or state or local regulations.

4 (d) Interior office furniture.

5 (e) Nonstructural elements of the interior space or area.

6 **SECTION 3.** 440.96 (2) of the statutes is renumbered 440.96 (4).

7 **SECTION 4.** 440.96 (2m) of the statutes is created to read:

8 440.96 (2m) "Interior life safety" means the analysis, development,  
9 interpretation, review, and employment of space plans or interior components for  
10 existing or proposed interior spaces to provide for compliance with a building code  
11 or other law, ordinance, or rule to eliminate, reduce, or control life-threatening or  
12 health-threatening situations, including to provide for egress or ingress to  
13 horizontal fire exit ways leading to predetermined vertical fire exit ways.

14 **SECTION 5.** 440.96 (3) of the statutes is created to read:

15 440.96 (3) "Interior technical submission" means a design, drawing,  
16 specification, study, or other technical report or calculation that establishes the scope  
17 of an interior design project, including a description of standards of quality for  
18 materials, skilled labor, equipment, and construction systems, and that is signed and  
19 sealed by a Wisconsin registered interior designer in compliance with this  
20 subchapter.

21 **SECTION 6.** 440.962 (1) (a) of the statutes is repealed.

22 **SECTION 7.** 440.962 (1) (am) of the statutes is created to read:

23 440.962 (1) (am) Passes an interior design examination approved by the  
24 department that is administered by an organization approved by the department.

25 **SECTION 8.** 440.962 (1) (b) of the statutes is repealed.

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1           **SECTION 9.** 440.962 (1) (c) of the statutes is repealed.

2           **SECTION 10.** 440.962 (1) (d) of the statutes is repealed.

3           **SECTION 11.** 440.964 of the statutes is repealed.

4           **SECTION 12.** 440.965 of the statutes is amended to read:

5           **440.965 Reciprocal registration.** The department may, upon application  
6 and payment of the required fee, grant a permit certificate of registration to use the  
7 title “Wisconsin registered interior designer” to a person who is not a resident of and  
8 has no established place of business in this state, or who has recently become a  
9 resident of this state, if the person holds an unexpired certificate of similar  
10 registration issued to the person by the proper authority in any state or territory or  
11 possession of the United States or in any country in which the requirements for the  
12 registration of interior designers are of a standard not lower than specified in this  
13 subchapter.

14           **SECTION 13.** 440.968 (1) (e) of the statutes is created to read:

15           440.968 (1) (e) Signed or impressed his or her seal upon a document not  
16 prepared by him or her or knowingly permitted his or her seal to be used by another  
17 person.

18           **SECTION 14.** 440.9693 of the statutes is created to read:

19           **440.9693 Seal or stamp. (1) (a)** The department shall promulgate rules  
20 establishing specifications for seals and stamps used by Wisconsin registered  
21 interior designers.

22           (b) No Wisconsin registered interior designer may impress his or her seal or  
23 stamp upon a document unless the seal or stamp satisfies the specifications  
24 established by rule under par. (a).

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1           **(2)** A Wisconsin registered interior designer who is responsible for preparing  
2 an interior technical submission for delivery to any person or for a public record shall  
3 date, sign, and impress his or her seal or stamp upon the interior technical  
4 submission and any other related documents prepared by the Wisconsin registered  
5 interior designer.

6           **(3)** No Wisconsin registered interior designer may impress his or her seal or  
7 stamp upon a document that has not been prepared by the Wisconsin registered  
8 interior designer or knowingly permit his or her seal or stamp to be used by any other  
9 person.

10           **SECTION 15.** 440.9696 of the statutes is created to read:

11           **440.9696 Submission of documents.** **(1)** Subject to s. 440.9693 (3), a  
12 Wisconsin registered interior designer may sign and seal interior technical  
13 submissions that are required for an interior alteration or construction project for  
14 public record.

15           **(2)** If a city, village, town, or county requires a seal or stamp on interior  
16 technical submissions that are submitted for an interior alteration or construction  
17 project, the city, village, town, or county shall accept interior technical submissions  
18 impressed with the seal or stamp of a Wisconsin registered interior designer  
19 consistent with this subchapter.

20           **SECTION 16. Initial applicability.**

21           **(1) REGISTRATION REQUIREMENTS.** The treatment of ss. 440.962 (1) (a), (am), (b),  
22 (c), (d) and 440.964 first applies to an application submitted on the effective date of  
23 this subsection to the department of safety and professional services for registration  
24 as an interior designer.

